

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:06CV129

**CAPITOL RECORDS, INC., a Delaware)
corporation; UMG RECORDINGS,)
INC., a Delaware corporation; SONY)
BMG MUSIC ENTERTAINMENT, a)
Delaware general partnership; BMG)
MUSIC, a New York general)
partnership; and WARNER BROS.)
RECORDS, INC., a Delaware)
corporation,)**

Plaintiffs,)

Vs.)

**MELODY GOSNELL, a/k/a Melody)
Hamilton, and J. H., a minor,)**

Defendants.)

ORDER

THIS MATTER is before the Court on the Plaintiffs' motion to set aside entry of default as to the Defendant Jonathan Hamilton.

For the cause shown, the Plaintiffs' motion will be granted.

Additionally, the Court notes that the Plaintiffs' counsel has submitted a document from the Defendant Melody Gosnell entitled, "Answer to Civil Summons." **See Letter dated May 11, 2007, to the Clerk from Plaintiffs'**

counsel, Lacey M. Moore, and attached summons and Answer, filed May 16, 2007. The Court finds the letter from the Defendant Gosnell to be an answer to the amended complaint and, as such, is timely filed. With regard to the minor Defendant J. H., the Court will appoint Defendant Gosnell as the guardian ad litem of her minor son.

IT IS, THEREFORE, ORDERED that the Plaintiffs' motion to set aside entry of default is **ALLOWED**, and the Clerk's entry of default as to Jonathan Hamilton is hereby **SET ASIDE AND STRICKEN**.

IT IS FURTHER ORDERED that Defendant Melody Gosnell, a/k/a Melody Hamilton, is hereby appointed as guardian ad litem of her minor son, Defendant J. H.

IT IS FURTHER ORDERED that the Answer to Civil Summons submitted to Plaintiffs' counsel by Defendant Melody Gosnell and dated April 9, 2007, is hereby deemed an answer to the amended complaint herein and is timely filed.

Signed: June 20, 2007



Lacy H. Thornburg
United States District Judge

